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December 12, 2006

VIA ECF

Honorable Michael L. Orenstein
United States District Court - Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722-4443

Re: S & L Vitamins, Inc. v. Australian Gold, Inc.
05 CV 01217 (JS)(MLO)

Dear Judge Orenstein:

Mintz Levin represents defendant/third-party plaintiff, Australian Gold, Inc., in the above-referenced action. Yesterday, both parties filed their respective motions for summary judgment and opposition papers are due January 2, 2006. Pursuant to the Court's instructions at the October 30, 2006 status conference, Australian Gold respectfully requests that Court adjourn the December 21, 2006 status conference. We have conferred with counsel for S&L Vitamins who has advised us that his client consents to this adjournment. This is the parties' first request for an adjournment.

Respectfully,

Francis J. Earley

cc: Ronald Coleman, Esq. (via ECF & Fax)